

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA) CRIMINAL NO.1:CR-01-215
)
v.) (Judge Caldwell)
)
SCOTT SHREFFLER)

STIPULATION

1. Pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, the government and the defendant stipulate and agree to the following regarding the defendant's offense level, criminal history category, and sentence:

- A. The defendant's Criminal History Category is IV;
- B. The defendant's base offense level is 22 based upon his distribution of between 60-80 grams of heroin;
- C. The defendant is subject to a 2 level enhancement for a leadership role;
- D. The defendant is subject to a 2 level enhancement for use of minors in drug trafficking;
- E. The defendant is subject to a 2 level reduction in his offense level for acceptance of responsibility.
- F. The aggregate offense level is 24, and with a criminal History Category of IV, the Guidelines Imprisonment Range is 77-96 months.
- G. As of June 2006, the defendant has served approximately 84 months on this sentence.
- H. The 3 year term of supervised release , \$300 special assessment, and \$900 fine previously imposed on the defendant in this case were not disturbed on appeal, and should be reimposed at re-sentencing.

The parties agree that a sentence within this range of the Sentencing Guidelines is a reasonable sentence under the facts and circumstances of this case, that the Court may sentence within this range of 77-96 months, in its discretion, and that each party reserves the right to argue where within this stipulated guidelines imprisonment range the defendant should be sentenced.

2. If at sentencing the court fails to accept the stipulations of the parties, or imposes a sentence of imprisonment outside the range agreed to by the parties, then the parties have the right to withdraw from this agreement and proceed to a sentencing hearing.

ACKNOWLEDGMENTS

I have read this stipulation and carefully reviewed every part of it with my attorney. I fully understand it and I voluntarily agree to it.

Date

Defendant

I am the defendant's counsel. I have carefully reviewed every part of this stipulation with the defendant. To my knowledge my client's decision to enter into this stipulation is an informed and voluntary one.

Date

Counsel for Defendant

Date

United States Attorney's Office